

REMARKS

Any fees that may be due in connection with this application throughout its pendency may be charged to Deposit Account No. 50-1213.

The Specification is amended herein to correct the RELATED APPLICATIONS section of the application to eliminate any claims of priority to the related applications.

Claims 1-18, 20, 21 and 31-41 are pending in the application. Claim 1 is amended to include the recitations "expressing a VEGF receptor" and "targeted to a VEGF receptor," basis for which is found in the specification (for example, see page 13, lines 19-24). Claim 1 are amended to more distinctly claim the subject matter by restating section (c) to recite "the intensity of the light used for the step of irradiating and the duration of irradiation are selected such that the target cells are destroyed and the non-target tissue through which the light passes remains undamaged," basis for which is found throughout the specification (for example, see page 12, lines 15-22, page 13, lines 12-18 and page 17, lines 15-20). Claim 1 is further amended to correct minor formatting and grammatical errors.

Claim 6 is amended to change the dependency of the claim from claim 5 to claim 1, and to make minor grammatical changes. Claim 8 is amended to include the recitation "VEGF receptor," basis for which is found in the specification (see, for example, page 13, lines 19-24). Claim 9 is amended to recite photosensitizer "agent" instead of "compound" as provided in claim 7, and is further amended to include the recitation "bacteriochlorins, merocyanines, psoralens," basis for which is found in the specification (for example, see page 16, lines 10-14).

Claim 18 is amended to more distinctly claim the subject matter to recite that the method includes administering to the subject a therapeutically effective amount of an energy-activated agent conjugated to a ligand that binds to a

U.S.S.N 09/905,501
Chen
PRELIMINARY AMENDMENT

VEGF receptor on the target tissue, basis for which is found throughout the specification (for example, see page 13, lines 19-24 and Claim 18 as filed).

Claim 18 is further amended to include the recitation "the intensity of the energy used for the step of irradiating and the duration of irradiation are selected such that the target cells are destroyed and the non-target tissue through which the energy passes remains undamaged," basis for which is found throughout the specification (for example, see page 10, lines 1-6 and page 13, lines 12-18).

Claim 18 is further amended to correct minor formatting and grammatical errors.

Claims 19 and 22-30 are canceled herein without prejudice or disclaimer.

New claims 31-41 are directed to a method to occlude a blood vessel in a mammalian subject, basis for which is found throughout the specification (for example, see page 7, line 30 through page 8, line 25 and page 9, lines 11-16).

No new matter has been added.

A substitute DECLARATION is submitted herewith.

* * *

Entry of this amendment and examination of the application are respectfully requested.

Respectfully submitted,
HELLER EHRMAN WHITE & MCAULIFFE LLP

By: _____

Stephanie L. Seidman
Registration No. 33, 779

Attorney Docket No. 25886-0055B
Address all correspondence to:
Stephanie L. Seidman, Esq.
HELLER EHRMAN WHITE & MCAULIFFE LLP
4350 La Jolla Village Drive
San Diego, CA 92122-1246
Telephone: 858 450-8400
Facsimile: 858 587-5360
e-mail: sseidman@HEWM.com